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PRIVACY—RIGHT OF PUBLICATION OF PHOTOGRAPH FOR ADVERTISING PURPOSES.—In *Paresich v. New England Life Insurance Co.*, 50 S. E. 68, the Supreme Court of Georgia declares in favor of a right of privacy, disapproving the conclusion of the majority in the case of *Roberson v. Rochester Folding Box Co.*, 64 N. E. 442; 59 L. R. A. 478, 89 Am. St. Rep. 828, 171 N. Y. 540. A part of the syllabus of the court is as follows:

"1. The absence for a long period of time of a precedent for an asserted right is not conclusive evidence that the right does not exist. Where the case is new in principle the courts cannot give a remedy; but where the case is new only in instance it is the duty of the courts to give relief by the application of recognized principles.

"2. A right of privacy is derived from natural law, recognized by municipal law, and its existence can be inferred from expressions used by commentators and writers on the law as well as judges in decided cases.

"3. The right of privacy is embraced within the absolute rights of personal security and personal liberty.

"4. Personal security includes the right to exist, and the right to the enjoyment of life while existing, and is invaded not only by a deprivation of life, but also by a deprivation of those things which are necessary to the enjoyment of life according to the nature, temperament and lawful desires of the individual.

"5. Personal liberty includes not only freedom from physical restraint, but also the right to be 'let alone' to determine one's mode of life, whether it shall be a life of publicity or of privacy, and to order one's life and manage one's affairs in a manner that may be most agreeable to him, so long as he does not violate the rights of others or of the public.

"6. Liberty of speech and of the press, when exercised within the bounds of the constitutional guaranties, are limitations upon the exercise of the right of privacy.

"7. The constitution declares that the liberty of speech and of the press must not be abused; and the law will not permit the right of privacy to be asserted in such a way as to curtail or restrain such liberties. The one may be used to keep the other within lawful bounds, but neither can be lawfully used to destroy the other.

"11. The publication of a picture of a person, without his consent, as a part of an advertisement, for the purpose of exploiting the publisher's business, is a violation of the right of privacy of the person whose picture is reproduced, and entitles him to recover, without proof of special damage.

"12. The publication of one's picture, without his consent, for such a purpose is in no sense an exercise of the liberty of speech or of the press within the meaning of those terms as used in the constitution."

Compare sec. 2897a, Va. Code 1904. See 10 Va. Law Reg. 824.

CARRIERS—FREIGHT—DELAY IN SHIPMENT—LIABILITIES—ACT OF GOD.—In *Bibb Broom Co. v. Atchison, T. & S. F. R. Co.* (Minn.), 102 N. W. 709, it was held that if a common carrier fails to forward goods delivered to it for transportation without unreasonable delay, and negligently and carelessly delays the shipment, and the goods are overtaken in transit and damaged by an act of God,